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Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Armenia, Andorra, Australia, Bangladesh, Belarus, Benin, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, France, Georgia, Germany, Greece, Guyana, Hungary, India, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Lesotho, Mali, Malta, Mongolia, Mozambique, Nicaragua, Norway, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Slovakia, South Africa, Spain, the former Yugoslav Republic of Macedonia, Ukraine, Uruguay and Uzbekistan: draft resolution

Code of Democratic Conduct

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations, and reaffirming that one of the basic aims of the United Nations is to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, disability, birth or other status,

Reaffirming the indissoluble link between human rights, as enshrined in the Universal Declaration of Human Rights[1] and in the international human rights treaties, and democracy,

Further reaffirming that all peoples have the right of self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling that in the Vienna Declaration and Programme of Action,[2] the World Conference on Human Rights has recommended that priority be given to national and international action to promote democracy, development and human rights,

Reaffirming its commitment to the process of democratization of States, and acknowledging the interdependence and mutual reinforcement between democracy, human

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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rights and development, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recalling that good governance is indispensable for building peaceful, prosperous and democratic societies,

Aware of the crucial importance of active involvement of all members of civil society — individuals, groups and associations — in processes of governance that affect the life of people,

Recalling existing commitments for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Encouraged by the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of societies where individuals have the opportunity to shape their own destiny,

Commending the initiatives taken by the countries that participated in the International Conferences of New or Restored Democracies, held at Manila in June 1988,[3] at Managua in July 1994 and at Bucharest in September 1997,

Adopts the following Code of Democratic Conduct, by which Member States are called upon:

1. To consolidate democracy through the promotion of pluralism, the protection of human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of competent and public institutions, including an independent judiciary, responsible legislature and public service and an electoral system that ensures periodic, free and fair elections;

2. To promote, protect and respect all human rights and fundamental freedoms, in particular:

(a) Freedom of thought, conscience, religion, peaceful assembly and association;

(b) Freedom of expression, freedom of opinion, and free independent and pluralistic media;

(c) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right to freely express, preserve and develop their identify without any discrimination and in full equality before the law;

(d) The rights of indigenous people;

(e) The rights of children, the elderly and persons with physical or mental disabilities;

(f) By actively promoting gender equality with the aim of achieving full equality between men and women;

(g) By including information on human rights obligations in training for civil servants, police forces and the military;

(h) By acceding and adhering to international instruments on human rights;

[3] Then called the International Conference of Newly Restored Democracies

3. To strengthen the rule of law by:

(a) Ensuring equality before the law and equal protection under the law;

(b) Ensuring the right to liberty and security of person, to equal access to justice, and to be brought promptly before a judge in case of detention to avoid arbitrary arrest;

(c) Guaranteeing the right to a fair trial;

(d) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;

(e) Promoting continuously the independence and integrity of the judiciary and its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;

(f) Assuring high quality in the education and selection of judges and adequate funding of judicial personnel and facilities;

(g) Guaranteeing that persons who are deprived of their liberty are treated with humanity and dignity;

(h) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights;

(i) Ensuring, under national law, effective protection for human rights defenders;

(j) Ensuring that the military remains accountable to democratically elected civilian Government;

4. To develop an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:

(a) Ensuring the right of everyone to take part in the Government of his/her country, directly or through freely chosen representatives;

(b) Guaranteeing the right freely to vote and to be elected at regular intervals, by universal and equal suffrage, open to multiple parties, conducted by secret ballot and free from fraud and intimidation;

(c) Taking measures to address the representation of under-represented segments of society, and where appropriate of non-citizens;

(d) Promoting through legislation, institutions and mechanisms the formation of democratic parties;

(e) Ensuring through legislation and institutions the transparency and fairness of the electoral process, including through appropriate access to funds and the media;

(f) Allowing also small parties and independent candidates to participate in elections;

5. To create and improve the legal framework and necessary mechanisms for enabling the participation of all members of civil society — individuals, groups and associations — in the development of democracy, by:

(a) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interactions as a means of strengthening and developing democracy;

(b) Fostering, through education and other means, a democratic culture;

(c) Encouraging the exercise of the right to form, join and participate in non-governmental organizations, associations or groups, including trade unions, for their protection of interests, and, for the purpose of safeguarding democracy, promoting and protecting human rights and fundamental freedoms, as well as holding public authority accountable;

(d) Guaranteeing mechanisms for the involvement of civil society in processes of governance;

(e) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;

(f) Developing cooperation between local authorities and non-governmental organizations;

(g) Promoting active civil education and the education on human rights, *inter alia*, by organizations of civil society;

6. To strengthen democracy through good governance, by:

(a) Improving transparency of public institutions and policy-making procedures, and enhancing the accountability of public officials;

(b) Taking legal, administrative and political measures against corruption and to disclose and punish the corruption of public officials;

(c) Bringing government closer to the people by appropriate levels of devolution;

(d) Disseminating and promoting the widest possible public access to information about the activities of national and local authorities, including as a means of ensuring the accountability of government and administration;

(e) Engaging in a process of continuous improvement of the civil service to assure high levels of competence, ethics, professionalism and cooperation with the public, *inter alia*, by providing appropriate training to the civil service;

(f) Ensuring access by all to administrative remedies, without discrimination;

7. To strengthen democracy by promoting a sustainable economic environment, in particular by:

(a) Undertaking appropriate policies in order to meet the social and economic expectations of the population;

(b) Taking effective measures aimed at overcoming social inequalities and eliminating poverty;

(c) Promoting economic freedom, pursuing an active policy to provide opportunities for productive employment and sustainable livelihood, and encouraging entrepreneurship;

(d) Ensuring equal access to economic opportunities, and equal pay and other rewards for work of equal value;

(e) Promoting everyone's right to education;

(f) Creating a legislative and regulatory framework conducive to investments with a view to promoting sound and sustainable economic development;

8. To enhance social cohesion and solidarity by:

(a) Developing and strengthening democratic institutions to mediate tensions between conflicting societal interests;

(b) Improving social protection systems and ensuring basic social services for all;

(c) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations;

(d) Developing and strengthening formal and informal education dedicated to building local capacities for managing conflict and promoting mutual respect, tolerance and coexistence;

(e) Promoting and ensuring the realization of economic, social and cultural rights, such as the right to a standard of living adequate for health and well-being, including food, clothing, housing and medical care and necessary social services;

(f) Developing peaceful conflict resolution mechanisms and strategies in order to prevent and eliminate the use violence in societal tensions and disputes.